

**TELECOPIER COVER SHEET****D cember 5, 2003**

<b>To: Assistant Commissioner for Pat nts</b>	<b>From: Est Ila Pineiro Patent Administrator 818/493-2251</b>
<b>Attention: Examiner F. Oropeza Art Unit: 3762 TECHNOLOGY CENTER 3700</b>	<b>ST. JUDE MEDICAL CRMD 15900 Valley View Court Sylmar, California 91392-9221</b>
<b>Telecopier: 703/306-4520</b>	<b>Telecopier: 818/362-4795</b>
<b>RE: Request for Reconsideration Applic. No. 10/036,026 Filed: 12/21/2001 Docket No. 99P1043US01</b>	<b>Number of pages being sent: <u>8</u> (including cover page)</b>

PLEASE DELIVER TO EXAMINER FRANCES P. OROPEZA, Art Unit 3762.

**FAX RECEIVED****DEC 08 2003****GROUP 3700**

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PTO/SB/17 (10-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

**Complete if Known**Application Number **10/036,026**Filing Date **12/21/2001**First Named Inventor **Joseph J. Florio**Examiner Name **F. Oropeza**Art Unit **3762**Attorney Docket No. **99P1043US01****METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name**16-0068****PACESETTER, INC.**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

PREV. PAID

Total Claims	FOR Extra Claims	Fee from below	Fee Paid
30	49	18	0
Independent Claims	5	86	0
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 110)

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)

Derrick Reed

Registration No.

40,138

Telephone 818/493-2200

Signature

Date

12/5/03

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Joseph J. Florio et al.

Serial No.: 10/036,026

Examiner: F. Oropeza

Filed: 12/21/2001

Art Unit: 3762

Docket No.: 99P1043US01

For: METHODS AND APPARATUS FOR OVERDRIVE  
PACING HEART TISSUE USING AN  
IMPLANTABLE CARDIAC STIMULATION DEVICE

**TRANSMITTAL OF AMENDMENT AND REQUEST FOR RECONSIDERATION**  
**AND CERTIFICATE OF MAILING**

MAIL STOP AMENDMENTS  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith for filing are the following documents:

- ☒ Request for Reconsideration  
☒ Transmittal of Amendment... and Cert. of Mailing  
☒ Fee Transmittal

Date:

12/5/03

PACESETTER, INC.  
15900 Valley View Court  
Sylmar, CA 91392-9221  
818-493-2200  
818-362-4795 (fax)


Respectfully submitted,



Derrick Reed, Reg. No. 40,138  
Attorney for Applicants

I hereby certify that this correspondence is being facsimile transmitted  
to the United States Patent and Trademark Office on:

December 5, 2003

 12/5/03

Estella Pineiro

Date

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Applicant(s):** Joseph Florio et al.  
**Serial No.:** 10/036,026 **Examiner:** F. Oropeza  
**Filed:** 12/21/2001 **Art Unit:** 3762  
**Docket No.:** 99P1043US01  
**For:** METHODS AND APPARATUS FOR OVERDRIVE PACING  
HEART TISSUE USING AN IMPLANTABLE CARDIAC  
STIMULATION DEVICE


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**REQUEST FOR RECONSIDERATION**

MAIL STOP AMENDMENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

I hereby certify that this correspondence is being facsimile  
transmitted to the United States Patent and Trademark Office on

December 5, 2003

 12/5/03  
\_\_\_\_\_  
Estella Pineiro Date

Dear Sir:

In response to the Office Action dated August 21, 2003, for which a one-month extension of time is hereby requested, reconsideration is solicited based on the following remarks.